

EXHIBIT 1

Exhibit 1

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

Judicial District, TEXAS

4. The last three numbers of **Mallory Carabajal** 's Social security number are _____.

Plaintiff does not have a driver's license.

5. The last three numbers of **Antonio Jasso** 's Social security number are _ _ _.

Antonio Jasso's last three numbers of his drivers license are _ _ _.

6. Defendant are the following:

- i. **XPO Logistics, Inc, AKA XPO Logistics, llc , XPO LAST MILE, INC., DBA XPO, Logistics ("XPO")**, a foreign Connecticut corporation whose principle place of business is located at Five American Lane, Greenwich, CT 06831, is authorized to do business in Texas and may be served with process by serving Registered Agent Solutions, Inc., 1701 Directors Blvd., Suite 300, Dallas, TX 78744.
- ii. **Lowe's Home Centers, LLC** , a foreign North Carolina corporation whose principle place of business is located at 1605 Curtis Bridge Rd., Wilkesboro, NC 28697 USA , is authorized to do business in Texas and may be served with process by serving, CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218 USA.
- iii. **John Doe** is a resident of Texas who resides in Harris County.

JURISDICTION AND VENUE

7. The subject matter in controversy is within the jurisdictional limits of this court.
8. Plaintiff seeks:
 - a. only monetary relief of \$250,000 or less, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees.
9. This court has jurisdiction over the parties because the events which gave rise to

this cause occurred in Harris County and a Defendant to the cause resides in Harris County.

10. Venue in Harris County is permissive in this cause.

FACTUAL ALLEGATIONS

11. On July 19, 2019, a refrigerator purchase from Lowe's was delivered to Plaintiff's home by XPO under direction and control of Lowe's.

12. The XPO employees, sent by Lowes, that were delivering refrigerators removed Plaintiff's front door to make their work easier and place the refrigerator inside Plaintiff's home. Instead of securing the door they removed or placing it in a place or manner which would be safe and not likely to fall, XPO propped the door upright inside where Plaintiff was injured when XPO, its employee or its agents, failed to safely place or secure a heavy door they had removed from its hinges at the home where Plaintiff inhabited. The unsecured and dangerously placed door fell and struck Plaintiff on her hand causing a fracture. The door also sustained damage and its glass panels shattered making Antonio's home unsafe and susceptible to weather damage, home invasion, and waste of energy through loss of insulating properties for cooling and heating.

RELIEF

13. Plaintiff seeks only monetary relief of \$250,000 or less, excluding interest, statutory or exemplary damages and penalties, attorney fees, and court costs.

REQUEST FOR DISCLOSURE AND DISCOVERY

14. Pursuant to the provisions of Texas Rule of Civil Procedure 194 and specifically the response provisions of Rule 194.3 each Defendant served is requested to disclose, within 50 days after service of this petition and request, the information or material described in Rule 194.2.

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, Mallory Carabajal and Antonio Jasso, respectfully prays that the Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for Defendant's breach of duty which proximately caused injury to plaintiff and said judgement awards all actual damages, Physical pain in the past and future, mental anguish in the past and future, disfigurement in the past and future, physical impairment in the past and future, medical expenses in the past and future.

Respectfully submitted,

By: /s/ Alex Moheb
Alex Moheb, J.D., LL.M
SBN: 24076566
alex@westhoustonlawfirm.com
Moheb Law PLLC
8831 Long Point Rd. Suite 401
Houston, TX. 77055
Tel: (832)659-0770
Fax: (281)715-2838

EXHIBIT 2

Exhibit 2

HCDistrictclerk.com

CARABAJAL, MALLORY vs. XPO LOGISTICS INC
(AKA XPO LOGISTICS LLC)

1/6/2022

Cause: 202143451 CDI: 7 Court: 189

SUMMARY**CASE DETAILS**

File Date	7/19/2021
Case (Cause) Location	Civil Intake 1st Floor
Case (Cause) Status	Active - Civil
Case (Cause) Type	PERSONAL INJ (NON-AUTO)
Next/Last Setting Date	N/A
Jury Fee Paid Date	N/A

CURRENT PRESIDING JUDGE

Court	189 th
Address	201 CAROLINE (Floor: 12) HOUSTON, TX 77002 Phone:7133686300
JudgeName	SCOT DOLLINGER
Court Type	Civil

EXHIBIT 3

Exhibit 3



Notice of Service of Process

null / ALL
Transmittal Number: 24196271
Date Processed: 12/14/2021

Primary Contact: Heather McCLOW
Lowe's Companies, Inc.
1000 Lowes Blvd
Mooresville, NC 28117-8520

Entity:	Lowe's Home Centers, LLC Entity ID Number 2515365
Entity Served:	Lowe's Home Centers LLC
Title of Action:	Mallory Carabajal vs. XPO Logistics, Inc, aka XPO Logistics, LLC
Matter Name/ID:	Mallory Carabajal vs. XPO Logistics, Inc, aka XPO Logistics, LLC (11820951)
Document(s) Type:	Citation/Petition
Nature of Action:	Personal Injury
Court/Agency:	Harris County District Court, TX
Case/Reference No:	202143451
Jurisdiction Served:	Texas
Date Served on CSC:	12/13/2021
Answer or Appearance Due:	10 o'clock a.m. on the Monday next following the expiration of twenty days after service
Originally Served On:	CSC
How Served:	Certified Mail
Sender Information:	Moheb Law PLLC 832-659-0770

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

CAUSE NO. 202143451

COPY OF PLEADING PROVIDED BY PLT

RECEIPT NO: 905133 TRACKING NO: 73893143
EML

Plaintiff:
CARABAJAL, MALLORY

vs.

Defendant:
XPO LOGISTICS INC (AKA XPO LOGISTICS LLC)

In The 189th
Judicial District Court of
Harris County, Texas
201 CAROLINE
Houston, Texas

CITATION CORPORATE

THE STATE OF TEXAS
County of Harris

To: LOWE'S HOME CENTERS LLC (FOREIGN NORTH CAROLINA CORPORATION) BY SERVING CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INCORPORATING SERVICE COMPANY 211 E 7TH STREET SUITE 620, AUSTIN TX 78701

Attached is a copy of: PLAINTIFF'S ORIGINAL PETITION

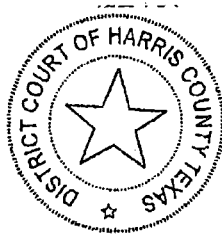
This instrument was filed on July 21, 2021 in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your Attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration date of 20 days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

This citation was issued on July 22, 2021, under my hand and seal of said court.

Issued at the request of:

MOHEB, ALEX
8831 LONG POINT RD. SUITE #401
HOUSTON, TX 77055
713-498-0084
Bar Number: 24076566



Marilyn Burgess

Marilyn Burgess, District Clerk

Harris County, Texas
201 CAROLINE Houston Texas 77002
(PO Box 4651, Houston, Texas 77210)

Generated By: CYNTHIA CLAUSELL

EML

Tracking Number: 73893143

CAUSE NUMBER: 202143451

PLAINTIFF: CARABAJAL, MALLORY

vs.

DEFENDANT: XPO LOGISTICS INC (AKA XPO LOGISTICS LLC)

In the 189th

Judicial District Court of

Harris County, Texas

OFFICER - AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock ____ M. on the _____ day of _____, 20____. Executed at

(Address) _____
in

_____ County at o'clock ____ M. On the _____ day of _____, 20____, by

Delivering to _____ defendant, in person, a true copy of this Citation together with the accompanying _____ copy (ies) of the «Attachment». Petition attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____, 20__.

Fees \$ _____

Affiant

By _____
Deputy

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, On this _____ day of _____, 20__.

Notary Public

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Plaintiff does not have a driver's license.

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Respectfully submitted,

By: /s/ Alex Moheb
Alex Moheb, J.D., LL.M
SBN: 24076566
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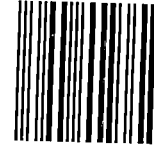
CERTIFIED MAIL



HOUSTON TX 77042
DEC 08 2021



1000



78701

U.S. POSTAGE PAID
FCM LETTER
HOUSTON, TX
77042
DEC 08, 21
AMOUNT

\$7.58

R2304M113299-9

7020 1290 0001 1369 1820

STW
11212 Westpark #229
Houston TX 77042

Lowes Home Centers LLC
Serving Agent: "CSC-lawyer's Inc Service Company"
211 E 7th Street, Ste 620
Austin, TX 78701

78701-321870

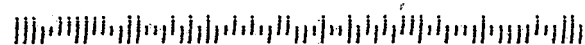


EXHIBIT 4

Exhibit 4

